

ESTTA Tracking number: **ESTTA488943**Filing date: **08/14/2012**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	RodrigoRodriguez
Granted to Date of previous extension	09/01/2012
Address	395 Sawdust Rd 2192 Spring, TX 77380 UNITED STATES

Correspondence information	RodrigoRodriguez 395 Sawdust Rd 2192 Spring, TX 77380 UNITED STATES rod219@hotmail.com Phone:2813233096
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Applicant Information

Application No	78586170	Publication date	07/03/2012
Opposition Filing Date	08/14/2012	Opposition Period Ends	09/01/2012
International Registration No.	NONE	International Registration Date	NONE
Applicant	French Douglas, Kohlberg Apartado 252 Oaxaca, OH 44017 UNITED STATES		

Goods/Services Affected by Opposition


Class 033. First Use: 2001/04/02 First Use In Commerce: 2001/06/01
All goods and services in the class are opposed, namely: Alcoholic beverages, namely, Distilled Spirits

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Besides Priority and likelihood of confusion with my trademark SKORPPIO registration Nr. 85102116, the product is the same concept: a distilled spirit with a scorpion inside the bottle

Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	3957164	Application Date	08/06/2010
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Registration Date	05/10/2011	Foreign Priority Date	NONE
Word Mark	SKORPPPIO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 2000/07/19 First Use In Commerce: 2000/07/19 Alcoholic beverages, namely, vodka, tequila, rum, brandy, whiskey, scotch, gin		

Attachments	85102116#TMSN.jpeg (1 page)(bytes) SKORPPPIO vs Scorpion.txt.txt (1 page)(381 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Signature	/Rodrigo Rodriguez Islas/
Name	RodrigoRodriguez
Date	08/14/2012

Hereby I, Rodrigo Rodriguez Islas, owner of the Trademark SKORPPIO in class 033, oppose the registration of the brand "Scorpion". Not only is subject to confusion in the word, but the product itself in which is intended to use "Scorpion" is a distilled spirit with a scorpion inside, and this is what my product SKORPPIO is: a distilled spirit with a scorpion inside the bottle.